

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Northern Division)

MELVIN NEWSOME, ET AL.

Plaintiffs,

v.

UP-TO-DATE LAUNDRY, INC., ET AL.,

Defendants.

Civil Action No. S01-2257 (WDQ)

STATUS REPORT

Pursuant to the Scheduling Order in this case, the plaintiffs and defendants hereby provide the following Status Report. The parties state as follows:

1. The discovery period ended on May 24, 2003. Pursuant to prior Order of the Court, the parties have postponed designations and depositions of economic experts until determination of the motions to be filed (see Paragraph 3 below) in this case. The parties have not completed depositions of the two statistical experts and propose that those depositions be conducted during the same time period as already set for the economic experts. Defendants also served a subpoena for documents on Plaintiffs' statistical expert on May 19, 2003 and the response to that subpoena is still pending. Plaintiffs' have objected to that subpoena, among other reasons, as being untimely served.

2. There are no motions pending. However, defendants may file a motion to compel with respect to the outstanding expert subpoena.

3. Plaintiffs intend to file a motion for class certification. Defendants intend to file a motion for summary judgment with respect to one or two of the plaintiffs and motions for partial summary judgment with respect to the others.

4. The case is to be tried before a jury. The length of trial will depend on the Court's rulings with respect to the motion for class certification and the motions for summary judgment and partial summary judgment.

5. The parties hereby certify that they have met to conduct serious settlement negotiations. During 2002, the parties had numerous discussions about the possibility of settlement, including correspondence and lengthy meetings in January at undersigned counsel's office and in May at counsel for defendants' office in Baltimore. Counsel for both parties participated in these meetings, as well as plaintiffs' expert accountant, Boris Steffan, and defendants' accountant, Carroll Weyrich. The parties do not consent to referring this case to a U.S. Magistrate Judge pursuant to 28 U.S.C. § 636(c).

6. The parties believe that it would be helpful to refer this case for a settlement conference or a mediation after the resolution of the motions contemplated in Section 3 above.

Respectfully submitted,

/s/

Philip J. Simon, #12893
Richard A. Salzman
Douglas B. Huron
Betty Grdina #15647
HELLER, HURON, CHERTKOF,
LERNER, SIMON & SALZMAN
1730 M Street, N.W., Suite 412
Washington, DC 20036-4505
(202) 293-8090
(202) 293-7110 (f)

Counsel for Plaintiffs

/s/

Jeanne M. Phelan
WHITEFORD TAYLOR & PRESTON

Seven Saint Paul Street
Baltimore, MD 21202-1626
(410)347-8738
(410) 347-9446 (fax)

Counsel for Defendants